

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

LIEN KIM THI PHAN,
a/k/a NANCY PHAN;

HON LAM LUK;

DUONG THUY NGUYEN,
a/k/a EVE NGUYEN

Defendants.

Case No. 1:19-MJ-515

CONSENT MOTION FOR ENTRY OF A STIPULATED PROTECTIVE ORDER

The United States of America, by and through G. Zachary Terwilliger, United States Attorney, and Bibeane Metsch and Jay V. Prabhu, Assistant United States Attorneys, respectfully moves this Honorable Court for entry of the attached stipulated Protective Order, pursuant to Federal Rule of Criminal Procedure 16(d)(1) and Federal Rule of Evidence 502(d). Counsel for the defendants have each reviewed the proposed protective order and advised that they do not oppose this motion. In support thereof, the United States submits the following:

1. During the course of the investigation, the United States has gathered or generated voluminous documents, including electronic records, which contain confidential information and personal identifiers for the defendants, unindicted co-conspirators, and non-parties in this case. These documents and electronic records currently include and are anticipated to include, but are not limited to, law enforcement investigative reports, information from seized cellular devices, and other Jencks Act materials. The United States intends to produce these documents and electronic

records, in accordance with the Federal Rules of Criminal Procedure, relevant case law, and any Discovery Orders that are agreed upon and entered in this case.

2. Accordingly, the proposed Protective Order regulates discovery in this case by restricting the use and dissemination of documents and electronic records obtained through discovery. In sum, the proposed Protective Order prohibits the dissemination of these documents and electronic records and the information contained therein to third parties, other than as necessary for the defendants' investigations of the allegations and preparation of their defenses.

3. The defendants and their respective counsel have reviewed this Motion and the proposed Protective Order, and have agreed to its terms.

WHEREFORE, the undersigned respectfully requests that the Court enter the proposed Protective Order.

Respectfully Submitted,

G. Zachary Terwilliger
United States Attorney

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of December 2019, I electronically filed the foregoing using the CM/ECF system, which will automatically send a notification of such filing to all counsel of record.

/s/

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